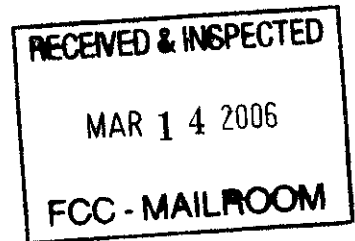


02-6

Schools and Libraries

APPEAL

DOCKET FILE COPY ORIGINAL



471 456222

Palmyra Area School District

I am requesting that you re-examine the 471 for wireless communication with Nextel Communications.

Schools and Libraries state that the funding request was denied based on Box 8 not being checked on the 470 not allowing vendors to see the request for service. I want to mention that Box 14 was checked which states that it is a request for service for wireless telecommunications. Yes – a mistake was made by not checking Box 8 it was an oversight but Box 14 was checked and Nextel along with other cellular communication vendors were able to see the services that were being requested.

Wireless communication is very similar to telecommunication. I am sure that Palmyra is not the only district that has been mislead by there two similar questions and it may be a benefit to ALL e-rate organizations if the question was worded differently so it would not be misleading.

My argument is this: Vendors were able to pull the up the request and see what was being asked for.

Patricia A Verdon
Palmyra Area School District
1125 Park Dr
Palmyra, PA 17078

1125721

The original appeal was submitted 1/10/2006

02-6
MAR 14 2006
FCC - MAIL ROOM

patricia verdon

PALMYRA AREA SCHOOL DISTRICT

1125 PARK DR

PALMYRA, PA 17078 3447



**Universal Service Administrative Company
Schools & Libraries Division**

Notification of Commitment Adjustment Letter

Funding Year 2005: 7/01/2005 - 6/30/2006

December 28, 2005

**Patricia Verdon
PALMYRA AREA SCHOOL DISTRICT
1125 PARK DR
PALMYRA, PA 17078 3447**

**Re: Form 471 Application Number: 464094
Funding Year: 2005
Applicant's Form Identifier: pasdbucks
Billed Entity Number: 125721
FCC Registration Number: 13087119
SPIN Name: Nextel Partners
Service Provider Contact Person: Christy Haywood**

Our routine review of Schools and Libraries Program funding commitments has revealed certain applications where funds were committed in violation of program rules.

In order to be sure that no funds are used in violation of program rules, the Schools Libraries Division (SLD) of the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the adjustments to your funding commitment required by program rules, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the program rule violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for SLD to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of the Demand Payment Letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." Please see the "Informational Notice to All Universal Service Fund Contributors, Beneficiaries, and Service Providers" at www.universalservice.org/new/2004.asp#083104 for more information regarding the consequences of not paying the debt in a timely manner.

The SLD is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on these Funding Request Numbers, a separate letter will be sent to the service provider detailing the necessary service provider action.

Please note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Please note the Funding Commitment Adjustment Explanation in the attached Report. It explains why the funding commitment is being reduced. Please ensure that any invoices that you or your service provider submit to USAC are consistent with program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division
Universal Services Administrative Company

cc: Christy Haywood
Nextel Partners

**Funding Commitment Adjustment Report for
Form 471 Application Number: 464094**

Funding Request Number:	1275804
Services Ordered:	TELCOMM SERVICES
SPIN:	143019623
Service Provider Name:	Nextel Partners
Contract Number:	NA
Billing Account Number:	7178216605
Site Identifier:	125721
Original Funding Commitment:	\$2,936.78
Commitment Adjustment Amount:	\$2,936.78
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$0.00
Funds to be Recovered from Applicant:	\$0.00

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review it was determined that your Form 470 did not include the service(s) for which you sought funding in your Form 471 application, which is a violation of the FCC's competitive bidding rules. This FRN requested funding for Telcomm Services however the cited FCC Form 470 # 708040000529586 did not indicate that you were seeking funding for telcomm services. FCC rules require that except under limited circumstances, all eligible schools and libraries shall seek competitive bids for all services eligible for support. Since the services for which you sought funding were not properly posted to the website for competitive bidding, the commitment has been rescinded in full.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**



**Universal Service Administrative Company
Schools & Libraries Division**

Notification of Commitment Adjustment Letter

Funding Year 2005: 7/01/2005 - 6/30/2006

December 28, 2005

**patricia verdon
PALMYRA AREA SCHOOL DISTRICT
1125 PARK DR
PALMYRA, PA 17078 3447**

**Re: Form 471 Application Number: 456222
Funding Year: 2005
Applicant's Form Identifier: 125721
Billed Entity Number: 125721
FCC Registration Number: 13087119
SPIN Name: Nextel Partners
Service Provider Contact Person: Christy Haywood**

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This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for SLD to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of the Demand Payment Letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." Please see the "Informational Notice to All Universal Service Fund Contributors, Beneficiaries, and Service Providers" at www.universalservice.org/new/2004.asp#083104 for more information regarding the consequences of not paying the debt in a timely manner.

TO APPEAL THIS DECISION:

If you wish to appeal the Commitment Adjustment Decision indicated in this letter, your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Numbers you are appealing. Your letter of appeal must include the Billed Entity Name, the Form 471 Application Number, Billed Entity Number, and FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter specific and brief, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal electronically, please send your appeal to appeals@sl.universalservice.org using your organization's e-mail. If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Appeals Area of the SLD section of the USAC web site or by contacting the Client Service Bureau at 1-888-203-8100. We strongly recommend that you use the electronic appeals options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC web site, or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. Immediately preceding the Report, you will find a guide that defines each line of the Report.

**Funding Commitment Adjustment Report for
Form 471 Application Number: 456222**

Funding Request Number:	1252823
Services Ordered:	TELCOMM SERVICES
SPIN:	143019623
Service Provider Name:	Nextel Partners
Contract Number:	MTM
Billing Account Number:	717 821 6607
Site Identifier:	125721
Original Funding Commitment:	\$3,024.00
Commitment Adjustment Amount:	\$3,024.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$0.00
Funds to be Recovered from Applicant:	\$0.00

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review it was determined that your Form 470 did not include the service(s) for which you sought funding in your Form 471 application, which is a violation of the FCC's competitive bidding rules. This FRN requested funding for Telcomm Services however the cited FCC Form 470 # 708040000529586 did not indicate that you were seeking funding for telcomm services. FCC rules require that except under limited circumstances, all eligible schools and libraries shall seek competitive bids for all services eligible for support. Since the services for which you sought funding were not properly posted to the website for competitive bidding, the commitment has been rescinded in full.

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